

3736

Customer Number

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CERTIFICATE OF MAILING

I hereby certify that this TRANSMITTAL is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 20th day of April, 2004.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signature

Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of:

Hazen, et al.

Examiner: Not yet assigned

Serial No.: 10/039,753

Art Unit: 3736

Filed: January 2, 2002

For: **MYELOPEROXIDASE, A RISK
INDICATOR FOR CARDIOVASCULAR
DISEASE**

Attorney Docket No.: 26473/04177

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith are the following:

1. Supplemental Information Disclosure Statement;
2. Form PTO-1449;
3. 6 Reference; and
4. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Supplemental Information Disclosure Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

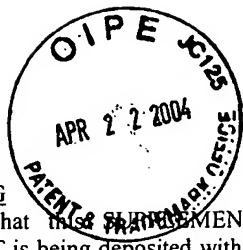
Respectfully submitted,

Date:

April 20, 2004

By:

Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416



Customer Number

24024

CERTIFICATE OF MAILING

I hereby certify that this ~~Supplemental~~ SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 20th day of April, 2004.

Typed or Printed name of person signing this certificate:

Wendy A. Frick

Signed: Wendy A. Frick

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Examiner: Not yet assigned
Hazen, et al.)	
Serial No.: 10/039,753)	Art Unit: 3736
Filed: January 2, 2002)	
For: MYELOPEROXIDASE, A RISK)	Attorney Docket No.: 26473/04177
INDICATOR FOR CARDIOVASCULAR)	
DISEASE)	

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This information disclosure statement is being filed before the mailing of a first Office Action on the merits. Applicants wish to disclose the following information:

REFERENCES

- ☒ The Applicants wish to make of record the references listed on the attached Form PTO-1449. copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ Listed on the attached PTO form 1449 is information known to persons substantively involved in the preparation of the application identified above, and is not a representation that more pertinent information does not exist.
- ☒ The identification of any information herein is not intended to be, and should not be understood as being, an admission that such information, in fact, constitutes "prior art"

within the meaning of applicable law. The "prior art" status of any information is a matter to be resolved during prosecution.

CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement.
- ☒ This information disclosure statement is being filed within three months of the filing of the within application and/or **prior to a first Office Action** on the merits being received.

PETITION

- ☒ Applicants hereby request consideration of the attached information.

DEPOSIT ACCOUNT

- ☐ A check is attached in the amount of \$ _____ required under 37 § 1.17(p).
- ☒ It is not believed that any fee is required relating to the filing of this information disclosure statement. If this is not the case, the patent office is hereby authorized to charge any related fee to **Deposit Account No. 03-0172**.

Respectfully submitted,

Date: April 20, 2004

By: Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416



Subst. Form PTO-1449

Atty. Docket No.: 26473/04177

Serial No.: 10/039,753

APPLICANT'S INFORMATION
DISCLOSURE STATEMENT

Applicant: Hazen, et al.

Filing Date: January 2, 2002

Group: 3736

U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA						
	AB						
	AC						
	AD						

FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AE	0 389 381	September 26, 1990	EP			
	AF	02/50550	June 27, 2002	WO			
	AG						
	AH						
	AI						

OTHER PRIOR ART

	AJ	Supplementary European Search Report dated January 29, 2004.
	AK	"Kinetics of Oxidation of Tyrosine and Dityrosine by Myeloperoxidase Compounds I and II" by Marquez, et al., <u>The Journal of Biological Chemistry</u> , Vol. 270, No. 51, December 22, 1995, pp. 30434-30440.
	AL	"Leukocytes Utilize Myeloperoxidase-Generated Nitrating Intermediates as Physiological Catalysts for the Generation of Biologically Active Oxidized Lipids and Sterols in Serum" by Schmitt, et al., <u>Biochemistry</u> , 1999, 38, 16904-16915.
	AM	"Nitric Oxide Modulates the Catalytic Activity of Myeloperoxidase" by Abu-Soud, et al., <u>The Journal of Biological Chemistry</u> , Vol. 275, No. 8, February 25, 2000, pp. 5425-5430.
	AN	
	AO	
	AP	
	AQ	
	AR	

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.